"CANAL FRIENDS" FURIOUS.

GRAFTERS SEE THAT \$101,000,000 SAVED TO THE STATE.

The Taxpayers Are After Them Now in Earnest-Preliminary Hearing to Be Held This Week on the Petition to Test Constitutionality of the Law.

This probably will be a week of importance to those on both sides of the barge canal question, for it is expected that Attorney-General Mayer will give a hearing on the petition of the taxpayers who ask that he bring, or authorize to be brought, a suit to test the constitutionality of the

The hearing will be a formality necessary as a preliminary to the suit itself. It is not likely that the Attorney-General will try the suit. He will grant permission to the Hon. Elihu Root and the Hon. Charles Andrews, who have been retained by the Anti-Barge Canal Association, to bring a friendly action to determine the judicial validity of the statute.

Both sides are so eager to have the matter settled early that the case probably will come into the Supreme Court within a month. Gov. Higgins and many other State officers appreciate the seriousness of the case. They know that until the law has been passed on by the courts it would be a great mistake to let any contracts for work on the bargeway. They know, too, that no sane financier would buy canal bonds with a shadow on them.

The suit in the Supreme Court will not settle the case. Whatever the decision there may be, it is morally certain that the losing side will take the case to the Court of Appeals. It would be speedier to take it there direct, but that is impossible in judicial procedure.

The solid business men of New York city and up State who have gone earnestly into this work of killing the \$101,000,000 graft measure are very confident that they will win their case in the highest court, if not also in the Supreme Court. They have not gone into the matter blindly, or with the idea of merely delaying the construc-

the idea of merely delaying the construction of the bargeway. They feel that the bargeway act is the biggest outrage ever put upon the taxpayers of this State; that it is an economical crime which would embarrass and involve the State immeasurably and that the Court of Appeals will see the fustice of their claims.

There is a great scrambling these days among the "friends" of the bargeway. A "friend of the canal," as he likes to be called, is almost invariably a contractor looking for a piece of the millions; an engineer looking for a yearly salary for the rest of his life; a Buffalo elevator man looking for fat transfer charges; a New York lighterage man looking for similar emolument, or a politician looking for graft from all of the others.

These persons have spent a lot of money

These persons have spent a lot of money in furthering the bargeway scheme. Since the election of 1903, when the voters were wheeled into voting for a project whose stupendous proportions they did not realize, the "friends of the canal" have been

merry as grigs.
"I told you we'd have that \$101,000,000," they would say to one another, with much rubbing of hands. The answer to that

always was:
"Oh, we'll have twice that to spend." The first shock they got was when it was shown, at the hearing in the Murray Hill Hotel ten days ago, that the present canal could be equipped with electric hauling engines at a cost of \$7,000,000 in such a way that its executive would be former to be a superior with the first control of the control of the control of \$7,000,000 in such a way that its executive would be former to the control of that its capacity would be far more than 10,000,000 tons a year, which is what the bargeway advocates cried for. Figures were presented by noted engineers showing that the canal, in its present shape, could be made to support itself. The State could avoid the financial embarrassment certain to result from the carrying out of the bargeway scheme, and it could all be finished in two years, as against the dozen or twenty or hundred years needed to finish

the bargeway.

The indorsement of the hauling device by William Barclay Parsons made those at the hearing sit up straight, but the "friends of the canal" on the sub-commitonly such plans as related to the bargeway. This in spite of the plain reading of the Legislative resolution creating the towage commission, which asked for devices 'applicable to the canals of this State.' And the barge canal is not a canal of this State, for it is not in existence. It never will be. Shock No. 2 was the announcement that the constitutionality of the graft act would be tested and now the "friends of the canal" ontention absurd to any one who knows what the railroad managers think about the bargeway prospects. They scream that the petitioning taxpayers are villains

MARINE INTELLIGENCE.

MINIATURE ALMANAC THIS DAY Sandy Hook. 3.02 Gov. 1'd. 3:34 Hell Gate ... 5:27

Ss New York, Southampton, Jan. 7. Ss Umbria, Liverpool, Jan. 7. Ss Rotterdam (tanle), Antwerp, Jan. 1. Ss Queen Alexandra, Manlia, Oct. 21. Ss Kostrena, Cartagena, Dec. 23. Ss Matanzas, Guantanamo, Dec. 25.

ARRIVED OUT.

Se Pannonia, from New York at Gibraliar.
Se Cedric, from New York at Liverpool.
Se Oscar II., from New York at Liverpool.
Se Ceylc, from New York at Liverpool.

SAILED PROM POREIGN PORTS. Ss Rotterdam, from Boulogne for New York. Ss Campania, from Queenstown for New York, Ss Moitke, from Boulogne for New York.

Sail To-day.	
Maûs Close	Vessels Sail.
Monroe, Norfolk Burbo Bank, Argentina . 11 30 A M	3 00 P M 2 00 P M
Sall To-morrow.	2 00 1 24
Carpathia, Naples Roonprinz Wm., Bremen. 8 30 A M Orizaba, Colon. 9 30 A M Comanche, Charleston. Princess Anne. Norfolk.	12 00 M 12 00 M 1 00 P M 3 00 P M 3 00 P M
Sail Wednesday, Jan. 18.	
Majestic, Liverpool	10 00 A M 10 00 A M 11 00 A M 12 00 M
Bermudian, Bermuda 8 00 A M Prins Willem I., Hayti 10 00 A M Cherokee, Santo Domingo 12 30 P M	10 00 A M 1 00 P M 3 00 P M
Jefferson, Norfolk Lampasas, Galveston	3 00 P M 3 00 P M
Algonquin, Charleston	3 00 M
INCOMING STRAMBULPS	

Proteus, New Orleans 12 00 M Algonquin, Charleston 3 00 F M	10300 Am Can pf 6284 1050 Am Nickel 234	3	214	
INCOMING STRAMSHIPS.	10100 Artzona Con M 28	28%	28	
Dur To-day.	234 Am Tob pf w 1 250	251	250	
Barcelona Antwerp Dec. 16	200 Am Writing Paper . 434	476	434	
La Gascogne	635 Am Writing P pf 21%	22	2134	
Manitou Londou Jan 5 Algonquin Jack-onville Jan 12	10700 Baldomero M 434	45%	314	
Exeter City Swausca Dec. 31	1900 British Col Cop 614	614	6	
Boyle Jan. 6	190 Con Rub Tire 8	6	- 6	
Breitzig	200 Con Lake Sup 8	8	- 8	
Hyndam Rotterdam Jan 7 Philadelphia La Guayra Jan 9	210 Con Lake Sup pf 15	36	1.5	
Proteus New Orleans Jan. 11	:575 Con Refrig	615	#5	
l'inland Antwerp Jan. 7	100 Cramp's Ship 32	32	32	
Due Tc-morrow.	200 Central Foundry 3%	354	331	
Astoria	100 Central Foundry pf. 17	1.7	1.7	
British Empire	5000 Douglas Cop 8	816	714	
Conche Galveston Jan 11 Morro Castle Havana Jan II	300 Electric Boat 40	10	40	
Samia Lingston Jan 12	150 Electric Boat pf 85	3.6	*85	
Seneca. Nassau Jan. 13	100 Electric Vehicle 12	12	12	
Comal Brunswick Jan 14	750 Electric Vehicle pf 2214	24	2254	
Due Wednesdoy, Jan. 18.	18700 Greene Con Cop 2516	26	2814	
Koenig Albert Genoa Jan. 5	18550 Greene Con Gold 6%	- 7	814	
Vitonia Trieste Jan 4	825 Havana Tobacco 81	26	50	
Seguranca Colon Jan 11	31000 Inter Rapid Transit .17154	193	17184	
El Mar. Jan 12	1760 Inter Mer Mar 1214	1214	1154	
California St. LuciaJan. 11	5550 Inter Mer Mar pf 2814	2914	2814	
Due Thursdoy, Jan. 19.	100 Inter Salt	22	22	
Pennsylvania	100 Kan Cy Ry and Lt 30	30	30	
Nord America Gibraltar 8	700 Kan Cy Ry and Lt of 82 14	8234	8214	
Chemnitz Jan. 7	530 Mackay Cos 8834	3814	3814	
Due Friday, Jan. 20,	1580 Mackay Cos pf 7434	7436	73%	
La Savoie Havre Jan 14 Arabic Liverpool Jan 11	42000 Mont & B Cons 1 3-82	1 3-32	14	
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FINANCIAL AND COMMERCIAL.

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1100 Den & Rio Grande. . 8814 32

300 Detroit United Ry., 78

2300 Detroit Southern . 674

2000 Distillers' Seou ... 2714

80800 Erie 1st pf...

1100 Fed Mining & Sm .

6030 General Electric.

soo Gt Northern pf ... 500 Hocking Valley ... 9014 100 Hocking Valley pf . 9316

1800 Int Paper pf 100 Int Power...... 1200 Int Pump...... 200 Int Pum p.pf....

100 lows Central.

2300 Kan City Southern. 29 4600 Kn C Southern pf ... 5374

400 Lake Erie & West ... 36 5900 Louisville & Nash. 141

14200 Mo. Kan & Tex 3214 10800 Mo. Kan & Texpf . 6374 35500 Mis Pacific . . . 1071s 400 Nash, Chat & St L. 140

1000 Nat Biscuit...... 55% 400 Nat Biscuit pf...... 115%

600 Nat Lead pf..... 98% 300 Nat E & S...... 22 42400 Nat B R of Mexpf. 44%

1800 Nat R R of Mex 2 pf 2452

800 NY Chi & St L 2 pf. 77

100 New York Dock . . . 2614 200 New York Dock pf . 59

1200 Pressed Steel Car pf 9014

\$400 Rallway Steel Spg . 3954 500 Rallway Steel Spg pf9414 4500 Republic Steel..... 1874 1700 Republic Steel pf... 7014

100 Sloss-Sheffield pf., 100

200 StL&San Fran 1stpf 79 4200 StL&SanFran 2d pf 71% 2400 St Louis Southwin., 25% 5000 St Louis Sou pf..... 58%

246500 Southern Pacific ... 68 10450 Southern Pacific pf 117

17900 Texas Pacific ...

19100 Southern Railway .. 35%

400 Tol. St L& Wpf. ... 5414 1000 Twin City RT..... 10614

300 Union Bag & Pa.... 1014

Union Ry Inv.

39600 US Leather.

164800 U.S.Steel 30½ 29 30½ + 2 188800 U.S.Steel pf....... 94 91½ 94 + 28 24900 Va-Carolina Chem. 53½ 8445 58½ - 9

THE OUTSIDE MARKET.

3700 Va Caro Chem pl., 10914 10514 10914

900 Reading 2d pf ..

12100 Rubber Goods. 1160 Rubber Goods pf. . 9514

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The following is a list	of referees appointed !
By Justice Gr	
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Cases.	
cople ex rel. Gayley	Tobas A Wales
O'Donnell	John, A. Walah.
(urray vs Murra)	H. B. B. Staples.
latter of Wild	Solomon B. Livingston
latter of Monaghan	James J. Nealls.
oth vs. Commercial Ac	IV.
Corporation	Harry A. Mendelson.
leason vs Gleason	Peter Zucker.
By Justice	Glegerich.
rice vs Parker. By Justic	Charles F. Brown.
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eonle, &c., vs. N. Y. Bl	UZ Welson #
Loan and Banking Co	Watter S. Logan.
By Justice	Leventritt.
latter of U. S. Trust Co	Part Cold T. Davis.
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latter of Stuart	Benjamin Paskusz.
fatter of Bowers	Morris J. Hirsch.
ilddlebrook vs. Ryan	
latter of Wollstein.	Aulson M. Lederer.
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Rock Island mines, which adjoin the Lexing-

WINTER MINING IN ALASKA.

Rock Island mines, which adjoin the Lexington. It appears that the stockholders of the contribute to the property of the invitation of the syndicate managers of the fluit of the syndicate managers of the surface and the surface and

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285 The average price per short ion bonds at 33 and interest. The bonds mad interest to refer to compared with \$1.12 in 1902. The increase is value of the bituminous coal at the mine was \$1.24 compared with \$1.12 in 1902.

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| March | Marc

mine was \$2.50, as against \$2.35 in 19 highest figure obtained up to that time 1888. The average price per short bituminous coal at the mine was \$1

Advocates Forgivis Separation Marriages Stor

DIVORCE NE

SEPARATION M REMARRIAGE,

Dr. Felix Adler, morning before the Culture, attacked a the point of view of declaring that divo under any circum for "imposs.ble" mended separation, temporary, but with

"I'm going to ask grim problem," said a praying parson I w respect for the mo feeling toward the volved also, and, templation of this su one less strong. It to determine what books should be a should be the public law. There are ma law permits which a training will not pe One of the inher marriage problem,

that men do not c women their husba which make for pers that great factor in complishments are go on, and lose the moral goodness may the inducements to the inducements to a man or woman ha "What are the obline asked. "To enhing the world, to ke of mentality, to end influence of one cand the consequent throw the benefits of the offspring. "Now what are the for divorces? Most patibility of tempes of the slimmest, Incompatibility usu

of the slimmest, incompatibility use trollable egotism on or the other. Only is there perfect he the best marriages about by mutual aperson to the other riages the woman leman from the woman fication which is on tions of marriage, so-called incompatibilithat one person is or she refuses to marry fools; women marry fools; women marry fools; women the marriages are refused to the such that the such th such marriages are a such marriages are a such a story which he He was a scholar fectionate, rather keeper, homestayer grew somewhat we Their evenings became into their cirgifts, who responded to began as an intent here we involve the second of the secon not say frankly the woman who he was a man of for her and her child He went at it hear thing happened. Stude; saw that he we but was trying to awoke new powers these people became "Well, he was a

which cannot be c "And in these ca by law." he contint have many degrees our laws are not devition for a time is go are happily wedde tions, and in the e back—especially i How can two peo

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There remains the marriage, the only claws of the State of that I reject the idemission to remarry, it is absurd. It me proved his inability do it are in the provent of t do it again. To the unnecessary to gran stand how a person passing through such to resume the marria it absolve the innoce of marriage. That who has gone wrom Though the pledge clated on one side, i other. Dr. Adler admitte

not agree with tho "I am taking a step a change in the dire BEGGED WITH "

"Arrows of Destiny" to the William Phelan, Essex Market court mitted to Blackwell's for begging. Phelan !
ty-sixth street, with
Both were in court a charge, but to no ava Phelan was arreste Park Row Building. tributing a circular of Destiny," a muting for money. He game on ferryboats buildings downtown